

Appl. No. 10/025,900
Amdt. dated July 6, 2006
Reply to Final Office action of April 6, 2006

Remarks/Arguments

1. Introduction

Applicants note with appreciation the finding of allowable subject matter in claims 1-13 and 15 and 20. To that end, Applicants have made appropriate amendments as indicated below in efforts of pursuing the remaining claims.

2. Rejections Pursuant 35 USC § 112, second paragraph

In the Office action specified claims were rejected pursuant to 35 USC section 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Suitable amendments have been made to the claims in this regard and the amendments were brought to the examiner's attention during a telephone conversation to which the examiner agreed overcame the rejections based upon 35 USC section 112, second paragraph. Specifically, claims 1 and 5 were amended to overcome these rejections. Additionally, claims 17 was amended *sua sponte* to ensure that the same comported with 35 USC section 112, second paragraph by removing grammatically incorrect language. No amendments made to claims 1, 5 and 17 were necessitated to overcome the material information, prior art or otherwise. In addition, amendments were made to claims 14 and 18 to ensure that the same comported with the provisions of 35 USC section 112, second paragraph. No new matter has been introduced by way of these amendments.

3. Rejections Pursuant 35 USC § 103(a)

In the Office action claims 14 and 18 were rejected as allegedly being obvious over Stamm in view of Solloway et al. As mentioned above, Applicants have amended claims 14 to include the features of claim 15. Additionally, claim 18 was amended to include the features of claim 20. Therefore, Applicants believe that amended claims 14 and 18 define a method suitable for patent protections.

4. Dependent Claims


Considering that the remaining dependent claims include all of the features of the independent claims from which they depend, the dependent claims are patentable to the extent that the independent claims are patentable. As a result, Applicant respectfully contends that a *prima facie* case of obviousness is not present with respect to the dependent claims for the reasons set forth above with respect to the independent claims from which they depend.

Therefore, Applicant respectfully request further examination in view of the amendments and remarks set forth above. A Notice of Allowance is earnestly solicited. If

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the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 774-6910. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SUNMP031). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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